



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

WJ

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------------|------------------|
| 09/808,120 | 03/15/2001 | Hsiang-Chun Lu | 3626-0180P | 4609 |
| 2292 | 7590 | 06/05/2006 | EXAMINER | |
| BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747 | | | SUBRAMANIAN, NARAYANSWAMY | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3624 | |

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/808,120 | LU, HSIANG-CHUN | |
| | Examiner Narayanswamy Subramanian | Art Unit 3624 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 March 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This office action is in response to applicants' communication filed on February 22, 2006. Amendments to claims 1, 2 and 6 and cancellation of claims 7-11 have been entered. Rejections made under 35 USC 112, second paragraph in the last office action have been withdrawn in view of the amendments. Objection to claim 11 in the last office action has been withdrawn in view of the cancellation. Claims 1-6 are pending in the application and have been examined. The rejections and response to arguments are stated below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teper et al (US Patent 5,815,665) in view of Rollins et al (US Pub No. 2004/0078294 A1).

Claim 1, Teper teaches an associate web site shopping method implemented in a main web site, comprising the steps of: providing the consumer logging on the main website a hyperlink element linking to the associate web site (See Teper Column 9 lines 38-46, the brokering service website is the main web site and the service provider site is the associate web site); receiving trade information transmitted from the associate web site that is related to a purchase action performed by the consumer regarding a commodity sold at the associate web site (See Teper Column 5 lines 38-41); billing to the consumer according to the trade information

(See Teper Column 6 lines 46-49); and placing an order with the associate web site (See Teper Column 11 lines 46-50 and Column 13 lines 6-10) whereby the associate web site sends out the commodity according to the trade information (old and well known. This step helps in the completion of the transaction).

Teper does not explicitly teach the step of transmitting a consumer ID and a confirmation code to the associate web site for verifying the consumer's identity when the consumer selects the hyperlink element; and commodity is a physical commodity.

Rollins teaches the step of transmitting encrypted data and address identifiers to the associate web site for verifying the consumer's identity when the consumer selects the hyperlink element (See Rollins Paragraphs 73, 89 and 90, the encrypted data and address identifiers are interpreted to include a consumer ID and a confirmation code. This is common in Post HTTP type of protocols); and commodity is a physical commodity (See Rollins Paragraphs 53, 83 and 118, goods are interpreted to include physical commodities).

Both Rollins and Teper are concerned with facilitating online transactions. It would have been obvious to one of ordinary skill in the art to modify Teper to include the teachings of Grate. The combination of disclosures suggests that users would have benefited from accessing and shopping at various merchant sites without having to login and re-enter their password for each merchant site visited.

Claim 2, Teper teaches the step of accepting the bill according to the trade information from the associate web site (See Teper Column 11 lines 52-59).

Claim 3, Teper teaches the step of providing the associate web site a confirmation mechanism for the associate web site to verify the consumer's identity before transmitting the ID

and the confirmation code to the associate web site (See Teper Column 6 lines 28-34, the steps of exchanging encrypted messages between the two sites for the purposes of authenticating registered users, obtaining and updating user access rights is interpreted to include this feature).

Claim 4, Teper teaches the step of accepting a confirmation message regarding the confirmation code from the associate web site after transmitting the ID and the confirmation code to the associate web site (See Teper Column 6 lines 28-34, the steps of exchanging encrypted messages between the two sites for the purposes of authenticating registered users, obtaining and updating user access rights is interpreted to include this feature).

Claim 5, Teper teaches the step wherein the trade information includes the ID, the confirmation code, the commodity data, and the commodity quantity (See Teper Column 3 lines 34-41). The billing charge is interpreted to include the commodity data, and the commodity quantity.

Claim 6, Teper teaches the step wherein the main web site further stores the name and address of a receiver (See Teper Column 6 lines 4-8); and the associate web site sends out the commodity according to the name and address of the receiver (old and well known. This step helps in the completion of the transaction). The term “receiver” is interpreted to include a “user”.

Response to Arguments

4. In response to Applicant’s arguments that “Teper actually teaches that the Online Broker site provides brokering software components for both the user and Service Providers to install so that the consumer can directly access Service Providers without having to transmit payment information and other personal information over internet (see Teper, col. 2, lines 32-48). Therefore, it is unnecessary for the user based on Teper’s teaching to log on the main web site”,

Art Unit: 3624

the examiner respectfully disagrees. In one embodiment the user may directly access Service Providers. However in the preferred embodiment, Teper clearly teaches an Online Broker site for facilitating transactions between the user and the merchant (See Teper Column 2 line 57 – Column 4 line 27).

Applicant's other arguments with respect to pending claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

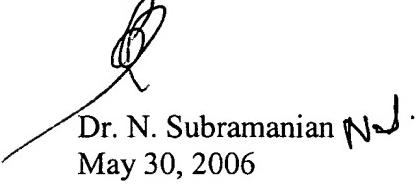
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

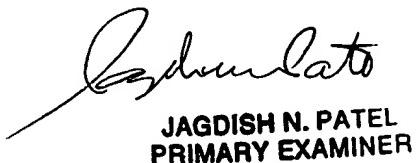
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (571) 272-6751. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

Art Unit: 3624

supervisor, Vincent Millin can be reached at (571) 272-6747. The fax number for Formal or Official faxes and Draft to the Patent Office is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PAIR. Status information for unpublished applications is available through Private PMR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Dr. N. Subramanian *N.S.*
May 30, 2006


JAGDISH N. PATEL
PRIMARY EXAMINER